

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JEREMY CIENIAWA,

Plaintiff,

v.

TROOPER BRIAN PALL,  
et al.,

Defendants.

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3:17-CV-00796  
(JUDGE MARIANI)

ORDER

AND NOW, THIS 6<sup>th</sup> DAY OF SEPTEMBER, 2019, upon consideration of Defendants' Motion for Summary Judgment (Doc. 37), for the reasons set forth in the Court's accompanying memorandum opinion, **IT IS HEREBY ORDERED THAT:**

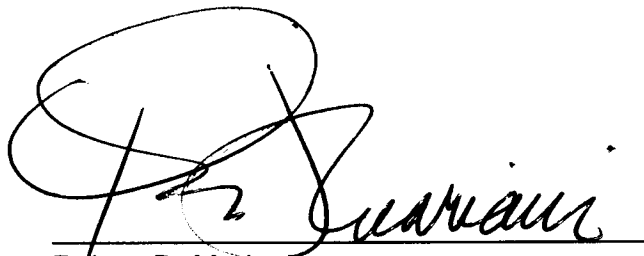
1. The Defendants' Motion for Summary Judgment (Doc. 37) is **GRANTED IN PART**

**AND DENIED IN PART** as follows:

- a. Defendants' Motion is **GRANTED** with respect to Plaintiff's claim for compensatory damages for emotional distress;
- b. Defendants' Motion is **GRANTED** with respect to Plaintiff's claim for excessive force (Count I) against David Douglas. Judgment is hereby entered **IN FAVOR OF DEFENDANT** David Douglas and **AGAINST PLAINTIFF** Jeremy Cieniawa.

c. Defendants' Motion is **DENIED** with respect to Plaintiff's excessive force claim against Defendants Brian Pall, Michael Foux, Larry McDaniel, and Christopher Zukowsky (Count I).

2. A telephone conference to schedule the above-captioned matter for trial on Plaintiff's excessive force claim against Defendants Pall, Foux, McDaniel, and Zukowsky (Count I) shall be held on **September 24, 2019, at 11:45 a.m.** Plaintiff's counsel is responsible for arranging the call to (570) 207-5750 and all parties should be ready to proceed before the undersigned is contacted.

A handwritten signature in black ink, appearing to read "R. Mariani", is written over a horizontal line.

Robert D. Mariani  
United States District Judge